



SED Director's Rule 88-2 DCLU Director's Rule 16-88

Applicant CITY OF SEATTLE DEPARTMENT OF CONSTRUCTION AND LAND USE AND SEATTLE ENGINEERING DEPARTMENT	Page of 1 2	Supersedes 4-86
	Publication 7/1/88	Effective 9/1/88
	Code and Section Reference 15.16 SMC; 23.76 SMC	
Subject Applications to Place Tables and Chairs on Public Sidewalks	Type of Rule Code Interpretation	
	Ordinance Authority 3.06.040 SMC	
	Index Land Use/Procedural Requirements	Approved/DCLU <i>Holly Miller</i>
	Approved/SED <i>Shirley Zacher</i>	Date 8-8-88

BACKGROUND

Chapter 15.16, Seattle Municipal Code (SMC), sets forth standards for sidewalk cafes to be established on public rights of way. The Department of Construction and Land Use (DCLU) is empowered pursuant to Chapters 15.16 and 23.76, SMC, to review master use permit applications for establishing sidewalk cafes and to approve, condition or deny the applications.

The Seattle Engineering Department (SED) issues all other street use and occupation permits. Among the uses permitted by SED is the placement of tables and chairs unrelated to eating establishments.

PURPOSE

The purpose of this rule is to distinguish between sidewalk cafes and the placement of tables and chairs in the right of way which is unrelated to outside table service of eating establishments and to clarify the responsibilities for issuing the permits in each case.

RULE

Sidewalk Cafe

A sidewalk cafe is made up of tables and chairs placed on the sidewalk in the public right of way by an eating and drinking establishment for the purpose of serving the establishment's patrons. Screening and planter boxes up to three feet in height defining the borders of the sidewalk cafe are permitted and are required where alcohol is served. No walls or roofs of any kind are permitted to enclose sidewalk cafes. Temporary awnings or canopies may be allowed at the discretion of the Director of DCLU.

The master use permit to establish a sidewalk cafe authorizes the private and exclusive use of the sidewalk area by the restaurant.

DCLU is responsible for issuing master use permits for establishing sidewalk cafes. SED is responsible for issuing an annual street use permit for maintenance of the sidewalk cafe after the initial master use permit is issued.

Tables and Chairs For Public Convenience Use

Any business may place tables and chairs or other seating furnishings on the sidewalk in the public right of way if issued a street use permit. The use is non-exclusive and open to the general public. Food and beverages are not served and there is no barrier to define the area.

SED is responsible for issuing annual street use permits for the placement of public convenience tables and chairs. No master use permit is required.

REASON

Because tables and chairs for public convenience use are open to the public and not for the exclusive use of a private entity, no master use permit is necessary to determine the public interest and benefit.